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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/768,087	02/02/2004	Kenneth P. Hinckley	003797.00821	6556

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EXAMINER

LAO, LUN YI

ART UNIT	PAPER NUMBER
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2677

DATE MAILED: 02/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/768,087	Applicant(s) HINCKLEY ET AL.	
	Examiner LUN-YI LAO	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 26,27,30-32,39 and 41-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 26,27,30-32,39 and 41-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 26-27, 30-32, 39 and 41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakagawa et al(6,128,014) in view of Hopper(4,495,490),

As to claims 26-27, 30-32, 39 and 41-43, Nakagawa et al teach a method comprising steps of: determining a location of a pointer(1) relative to a touch-sensitive surface(2)(see figure 4; column 5, lines 56-66 and column 6, lines 30-36); moving a document to a location in the document that corresponding to the location of the pointer(1) and continuing to store the un-round location after the document has been moved to the un-round location(see figures 1, 4-6; column 1, lines 54-68 and column 2, lines 1-15; column 5, lines 56-68; column 6, lines 1-36 and column 7, lines 1-53).

As to claim 41, Nakagawa et al teach determining a second location(now location) in the document based on both second location of the pointer(1) and the first un-rounded location(prev) in the document(see figure 6 and column 7, lines 16-46).

Nakagawa et al fail to disclose the steps of rounding the location in the document to a nearest text line.

Hopper et al teach a method for rounding the location in the document to a nearest line(e.g. one line sentence)(see figures 17.6, 18.7; column 3, lines 59-68; column 4, lines 1-17). It would have been obvious to have modified Nakagawa et al with the teaching of Hopper et al, so as to maintain contextual reference and avoid to produce confusing image to a user(see column 3, lines 59-65).

As to claim 27, Nakagawa et al teach the location in the document compared a beginning point and end point of the document is proportional(k) to the location of the pointer compared to a first end and a second end of the touch-sensitive surface(see figures 4 and 6; column 7, lines 17-46).

As to claims 30 and 31, Nakagawa et al teach a touch-sensitive surface is a single continuous proximity-sensitive surface(electromagnetic)(see figure 4; column 5, lines 56-68 and column 6, lines 30-36).

As to claim 32, Nakagawa et al teach a computer-readable medium storing computer executable instructions stored in a memory(42)(see figures 4, 6 and column 7, lines 16-45).

As to claim 39, Hopper et al teaches a method for storing computer instruction and the un-rounded location(cursor location 278) and un-rounded location(see step 425-426) and rounding location(see step 423, 427) defined using different units(see figures 1, 17.6, 18.7; column 3, lines 59-63; column 34, lines 3-9; and column 39, lines 2-17).

As to claims 42 and 43, Nakagawa et al teach the step of determining the second location(now) in the document include determining an amount to scroll away from the first location(prev)(see figure 6 and column 7, lines 17-46).

3. Claims 44-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakagawa et al(6,128,014) in view of Holehan(6,043,809).

See the discussion of Nakagawa et al above. Nakagawa et al fail to disclose determining a location in a document based on a gesture.

Holehan teaches a method for providing absolute scrolling of a document comprising the steps of : sensing a pointer(e.g finger) sliding along a touch-sensitive surface(122-124, 214 or 216); determining a location in a document based on a gesture(finger) is sliding and scrolling the document to a location in the document that corresponds to the location of the gesture(finger)(see figure 2; column 4, lines 20-52 and column 5, lines 12-16). It would have been obvious to have modified Nakagawa et al with the teaching of Holehan, so as to reduce the cost of a pen by using a finger as a pointer instead of pen.

As to claim 45, Holehan teach the step of determining a second location(now) includes determining an amount to scroll away from the first location(prev) in the document(see figure 6 and column 7, lines 17-46).

Response to Arguments

4. Applicant's arguments with respect to claims 26-27, 30-32, 39 and 41-45 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Feig et al(US 2002/0063737) teach a user interface displays a coarse control scrollbar.

Yamaji(5,745,098) teaches an apparatus for performing a scrolling operation.

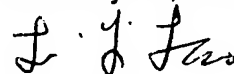
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lun-yi Lao whose telephone number is 571-272-7671. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on 571-272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2629

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

February 17, 2006

A handwritten signature in black ink, appearing to read 'L. Y. Lao', is written over the printed name.

Lun-yi Lao
Primary Examiner